

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

REALITY LUCAS,

Defendant.

24-CR-143 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

This case is set for sentencing on December 20, 2024. The parties did not raise the need for a *Fatico* hearing, as the Government is not pursuing an enhancement based on the circumstances that precipitated Lucas's prosecution on the current gun-possession charge.

However, the parties' sentencing submissions reveal that while they did not urge a *Fatico* hearing as such, they still dispute what happened before Lucas was arrested, what the Court may consider in that regard, and the impact of that alleged conduct on Lucas's sentence. Dkts. 34, 36. This makes a difference from the parties' perspective. The Government is asking for a sentence around three times the applicable guidelines range, based in part on the disputed conduct. And that conduct also figures into the Government's allegations that Lucas violated the terms of his supervised release (based on a prior conviction), which the parties want the Court to handle later.

The Court is prepared to hear the facts that the parties wish to present on the disputed issues on December 20. However, the Court wants to make sure the parties are fully heard, so if they need more time, they should meet and confer and **by 5:00 pm today** propose alternative dates.

SO ORDERED.

Dated: December 19, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge